UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ALIVECOR, INC.,

Petitioner

v.

APPLE INC.,

Patent Owner

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Case No. IPR2023-00949

U.S. Patent No. 10,866,619 B1

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**PETITIONER'S REQUEST FOR ORAL ARGUMENT**

Pursuant to 37 C.F.R. § 42.70(a) and the Board's Scheduling Order (Paper 9), Petitioner AliveCor, Inc. ("AliveCor") hereby requests oral argument on issues related to the patentability of the challenged claims of U.S. Patent No. 10,866,619 (the "'619 patent"), as set forth in more detail below, at a time set by the Board.

Without intending to waive any issue not specifically identified, Petitioner wishes to present arguments on the following issues:

- Grounds at issue in this proceeding, including all issues raised by the parties relating to the grounds in this proceeding (Grounds 1–4);
- Any issues addressed in Petitioner's papers, including but not limited to the Petition and Petitioner's Reply;
- Rebuttal to Patent Owner's presentation and positions on all issues, including the issues listed above and any issues raised in Patent Owner's papers, including Patent Owner's Response and any sur-reply to be filed, or elsewhere in the record for this proceeding;
- Any motions to exclude filed by any party;
- Any issues raised in Petitioner's Objections to Evidence Submitted with Patent Owner's Response, dated May 1, 2024; and
- Any other issues the Board deems necessary for issuing a final written decision.

The Board previously scheduled Oral Argument for this case on September 25, 2024. Petitioner requests an in-person hearing at the USPTO headquarters in Alexandria, Virginia that begins at 9 am Eastern, which is the current start time as indicated on the September 2024 PTAB Public Hearing Schedule. Petitioner also requests that the hearing for this case be consolidated with the hearing for IPR2023-00948, which the Board also previously scheduled for September 25, 2024. Petitioner requests no more than sixty (60) minutes per side to present arguments, inclusive of any time reserved for rebuttal or sur-rebuttal.

Date: August 21, 2024

By: / Christopher TL Douglas /
Christopher TL Douglas

## CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§42.6(e), 42.105, the undersigned hereby certifies that true and correct copies of the above-captioned PETITIONER'S REQUEST FOR ORAL ARGUMENT was served via electronic mail to the following attorneys of record for Patent Owner:

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Date: August 21, 2024

By: / Christopher TL Douglas /
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